

REMARKS/ARGUMENTS

Claims 1, 4, and 19-26 are pending. Claim 3 has been canceled without prejudice and without disclaimer. Claims 1, 4, and 19-23 have been amended. New claims 24-26 have been added, and depend from sole independent claim 1. Support for the claim amendments can be found, for instance, in the present application at paragraph [0029] (page 6, lines 21-31), and paragraphs [0045]-[0058]. No new matter has been introduced. Applicants believe the claims comply with 35 U.S.C. § 112.

Applicants would like to thank Examiners Paul W. Schlie and Pierre Bataille for the courteous interview extended to Applicants' counsel, Chun-Pok Leung, and Applicants' representative, Tsuyoshi Aoyama, on January 31, 2006.

Claims 1, 4, and 19-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Korngiebel et al. (US 5,416,914) in view of Nagai (US 6,236,626). The Examiner recognizes that Korngiebel et al. does not disclose a log of management and/or I/O operations, and cites Nagai for allegedly providing the missing teaching.

Applicants respectfully submit that sole independent claim 1 as amended is patentable over Korngiebel et al. and Nagai because, for instance, they do not teach or suggest a log storing area configured with at least one of the plurality of storage devices for storing log information of the management instruction which is targeted to the data storing area, the log storing area being different from the data storing area; wherein the management instruction is for managing attributes of the data storing area; and wherein the storage controller collects the log information of the management instruction targeted to the data storing area in the log storing area and restricts the host computer from write access to the log storing area via the first interface.

During the interview, the Examiner points out that Korngiebel et al. discloses that the media element is subdivided into subsets which may inherently provide separate data storing area and log storing area. Applicants note that this is merely speculative.

Under the principle of inherency, if a structure in the prior art necessarily functions in accordance with the limitations of a claim, the claim is anticipated. In this case, the media element does not necessarily provide a data storing area and a log storing area.

An inherent feature may be relied upon to establish a rejection under 35 U.S.C. § 103(a), but only if such inherency would have been obvious to one of ordinary skill in the art. “That which may be inherent is not necessarily known.” *In re Spormann*, 150 U.S.P.Q. 449, 452 (C.C.P.A. 1966); *Rijckaert*, 28 U.S.P.Q. at 1957. “Obviousness cannot be predicated on what is unknown.” *Spormann*, 150, U.S.P.Q. at 452; *Rijckaert*, 28 U.S.P.Q. at 1957. In this case, there is nothing in the cited art to indicate that the alleged inherency would have been obvious to one of ordinary skill in the art. Significantly, there is no inherent teaching of providing a log storing area which is different from the data storing area and is restricted from write access by the host computer via the first interface.

Furthermore, even assuming *arguendo* that it would be obvious to provide a data storing area and a log storing area in the storage device(s) in view of Korngiebel et al., the references still fail to teach or suggest storing log information of the management instruction which is targeted to the data storing area, wherein the management instruction is for managing attributes of the data storing area. Applicants note that *Nagai merely discloses storing the log of executed MPU operation, which is different from management instruction as recited in claim 1*. Nothing in Nagai discloses or suggest storing the log of management instructions in a log storing area configured with at least one of the storage devices.

In addition, *Applicants note that storing the log of management instruction is different from storing management data*. Examples of the log of management instruction are shown in Figures 4 and 5 of the present application, which include time and management operation. Nothing in the cited references discloses or suggests storing the log of management instruction.

Maintaining the log of the management instruction assures genuineness of data stored on a storage device. In Nagai, the history of MPU operation is used for debugging in case of failure (col. 2, lines 29-33), not for assuring genuineness of data stored. Further, the history data in Nagai is stored in the flash memory residing in MIN (col. 7, lines 30-31), not in the storage devices coupled to the storage controller.

For at least the foregoing reasons, claim 1, and claims 4, and 19-26 depending therefrom, are patentable.

Appl. No.: 10/814,706
Amdt. dated: February 10, 2006
Reply to Office Action of: November 15, 2005

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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